

FILED

APR 17 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

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Attorney for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Phyllis D. Evans,

Plaintiff,

vs.

Michael J. Astrue,
COMMISSIONER OF the SOCIAL
SECURITY ADMINISTRATION,

Defendant.

4:07-cv-03794-SBA

AMENDED/CORRECTED
MOTION AND PROPOSED
ORDER FOR EXTENSION OF
TIME TO FILE PLAINTIFF'S
REPLY

(no hearing)

MOTION.

Plaintiff moves the Court for an extension of time in which to file Plaintiff's Reply. Pursuant to the scheduling order, the reply was to have been filed, or the arguments deemed submitted, by April 7, 2008, based on Defendant's Cross Motion filed on March 19, 2008.¹ That date can not be met due to equipment malfunction. This is Plaintiff's first extension for this filing. Plaintiff requests a fourteen-day extension, or to/through April 21, 2008, in which to file the reply.

¹ Fourteen days (per procedural order), plus three service days (FRCivP Rules 6(e) and 5(b)(2)(D)), and two weekend days after e-filing by Defendant.


1 Plaintiff also submits and requests that no hearing is necessary in this
2 motion, as is usual in Social Security litigation (per the procedural order), and also
3 because granting of the motion would have no effect upon Defendant's scheduling
4 or upon any further scheduling.

5 RESPECTFULLY SUBMITTED on this 8th day of April, 2007.

6
7 /s/
8 James Hunt Miller, Attorney for Ms. Evans

9 ORDER (PROPOSED)

10 PURSUANT TO PLAINTIFF'S MOTION, IT IS ORDERED that Plaintiff
11 may have a fourteen-day extension in which to file the reply. *By April 21, 2008.*

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13 DATE: 4-17-08
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15 United States District Judge
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